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Attorneys for Defendants Playboy Enterprises International, Inc. and Michael Gross

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

AT PORTLAND

LEONARD D. DUBOFF,

PLAINTIFF,

v.

**PLAYBOY ENTERPRISES
INTERNATIONAL, INC., a Delaware
Corporation, and MICHAEL GROSS, an
individual,**

DEFENDANTS.

Case No. 06-00358-HA

**DECLARATION OF DUANE A.
BOSWORTH**

I, Duane A. Bosworth, do hereby state and declare as follows:

1. I am one of the attorneys representing defendants in the above-captioned case. I have personal knowledge of and am competent to testify as to all matters contained herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of the article titled "The Taking of Sex.Com," which appeared in the February 2006 issue of *Playboy* magazine,

redacted to exclude only advertisements and cartoons.

3. Attached hereto as Exhibit 2 is a true and correct copy of a biography of Leonard D. DuBoff, which I obtained from http://www.allworth.com/Authors/Bio_LDB.htm.

4. Attached hereto as Exhibit 3 is a true and correct copy of an article regarding plaintiff in the Oregon State Bar Bulletin, which I obtained from <http://www.osbar.org/publications/bulletin/05jun/profiles.html> by following the directions plaintiff set forth in plaintiff's September 8, 2005 email to Michael Gross.

5. Attached hereto as Exhibit 4 is a true and correct copy of a document I obtained from the Oregon State Bar titled "Form 7. Statement of Financial Affairs referencing United States Bankruptcy Court for the District of Oregon Case No. 393-33570, *In re Duboff, Leonard D.*"

6. Attached hereto as Exhibit 5 is a true and correct copy of a document I obtained from the Oregon State Bar titled Memorandum from Leonard D. Duboff to Dean Stephen Kanter, dated March 17, 1988.

7. Attached hereto as Exhibit 6 is a true and correct copy of a document I obtained from the Oregon State Bar titled "ABA Report on Law School, April 6-9, 1988, with Letter from Jim White, August 17, 1988."

8. Attached hereto as Exhibit 7 is a true and correct copy of a document I obtained from the Oregon State Bar titled "Letter from Jim White Reporting on Reaccreditation Action, November 14, 1988."

9. Attached hereto as Exhibit 8 is a true and correct copy of a document I obtained from the Oregon State Bar titled Memorandum from Kris Olson Rogers to Jim Huffman, dated October 18, 1993.

10. Attached hereto as Exhibit 9 is a true and correct copy of a document I obtained from the Oregon State Bar titled Partner's Share of Income, Credits, Deductions, etc. for 1985.

11. Attached hereto as Exhibit 10 is a true and correct copy of a document I obtained from the Oregon State Bar which is a letter from Harry S. Chandler to Charles R. Markley dated November 17, 1993.

12. Attached hereto as Exhibit 11 is a true and correct copy of a document I obtained from the Oregon State Bar titled Supplemental Rule 67B Judgment Against Defendant DuBoff (Including Attorney Fees and Costs) in *Ainslee v. Spolyar*, Multnomah County Case No. A8912-07730.

13. Attached hereto as Exhibit 12 is a true and correct copy of a document I obtained from the Oregon State Bar titled Memorandum from Mr. DuBoff to Dean Arthur B. LaFrance, dated July 11, 1984.

14. Attached hereto as Exhibit 13 is a true and correct copy of a document I obtained from the Oregon State Bar titled Fax Cover Sheet from Heidi Brown to Kris Olsen-Rogers, dated September 22, 1993.

15. Attached hereto as Exhibit 14 is a true and correct copy of a document I obtained from the Oregon State Bar titled Memorandum to Kris Olson Rogers and Peter Nycum from D.R. Jones, dated September 22, 1993.

16. Attached hereto as Exhibit 15 is a true and correct copy of the Second Amended Complaint in *The DuBoff Law Group, LLC v. Gill*, Multnomah County Case No. 0504-04408.

17. Attached hereto as Exhibit 16 is a true and correct copy of an excerpt from the deposition of Jonathan R. Gill in the case of *The DuBoff Law Group, LLC v. Roessler*, Multnomah County Case No. 0210-10292, taken on January 15, 2004.

18. Attached hereto as Exhibit 17 is a true and correct copy of a letter from Mr. DuBoff's counsel to Playboy Enterprises, Inc. dated January 26, 2006.

19. Attached hereto as Exhibit 18 is a true and correct copy of an article authored by Mr. DuBoff in the Fall 2002 issue of "Technos Quarterly," which I obtained through

the website http://www.ait.net/technos/tq_11/3duboff.php.

20. Attached hereto as Exhibit 19 is a true and correct copy of an “Author Bio” for Mr. DuBoff, which I obtained through the Internet at <http://www.sphinxlegal.com/content/catalog/catalog.asp?authorid=A521>.

21. Attached hereto as Exhibit 20 is a true and correct copy of “Author Bio” for Mr. DuBoff, which I obtained through the Internet at <http://www.sourcebooks.com/content/catalog/catalog.asp?authorid=A521>.

22. Attached hereto as Exhibit 21 is a true and correct copy of “The Authors” section from “The Desk Book of Art Law,” Second Edition.

23. Attached hereto as Exhibit 22 is a true and correct copy of the “About the Author” section from “High-Tech Law (In Plain English)®: An Entrepreneur’s Guide.

24. Attached hereto as Exhibit 23 is a true and correct copy of an excerpt from the minutes from the House Committee on Judiciary, Subcommittee on Civil Law, from March 19, 2001, containing the testimony of Dave Heynderickx, Legislative Counsel.

Pursuant to 28 U.S.C. §1746, I declare under the penalty of perjury that the foregoing is true and correct.

DATED this 3rd day of April, 2006.

By /s/ Duane A. Bosworth
DUANE A. BOSWORTH

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **DECLARATION OF DUANE A. BOSWORTH** on:

Bert P. Krages II, OSB #87279
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Attorney for Plaintiff

- ☒ by electronically mailed notice from the court on the date set forth below;
- ☐ by mailing a copy thereof in a sealed, first-class postage prepaid envelope, addressed to said attorney's last-known address and deposited in the U.S. mail at Portland, Oregon on the date set forth below;
- ☐ by causing a copy thereof to be hand-delivered to said attorney on the date set forth below;
- ☐ by faxing a copy thereof to said attorney at his/her last-known facsimile number on the date set forth below.

DATED this 3rd day of April, 2006.

DAVIS WRIGHT TREMAINE LLP

By /s/ Duane A. Bosworth
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International, Inc. and Michael Gross